



PATENT APPLICATION
Docket: 15436.248.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
John M. Wachsman)
Serial No.: 09/824,360) Art Unit
Confirmation No.: 7178) 2638
Filed: April 2, 2001)
For: A METHOD AND SYSTEM FOR)
PERFORMING OTDM)
Examiner: David C. Payne)

TERMINAL DISCLAIMER

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

Declarant, Peter F. Malen Jr., represents that he is the Attorney of Record for Finisar Corporation, a corporation of the State of Delaware, having a principal place of business at 1308 Moffett Park Drive, Sunnyvale, California 94089, and that he is authorized to make this Declaration and execute this Terminal Disclaimer on behalf of Finisar Corporation. Declarant further represents that Finisar Corporation is the assignee of the entire interest, of the above-identified application, and also of U.S. 6,614,583, by the Assignment recorded at reel 014304,

frame 0268 (a copy of which is attached hereto as Exhibit A) in the records of the U.S. Patent and Trademark Office. Declarant hereby further certifies that the evidentiary document at Exhibit A has been reviewed by him, and to the best of Declarant's knowledge and belief, title is in the Assignee seeking to take action.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of said U.S. Patent No. 6,614,583 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 6,614,583, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

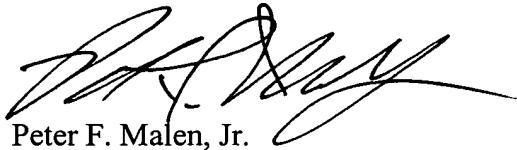
The Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend beyond the term of said U.S. Patent No. 6,614,583, in the event that said U.S. Patent No. 6,614,583 later: (a) expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); (b) has all claims cancelled by a reexamination certificate; or (c) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Declarant further declares that all statements made herein of Declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

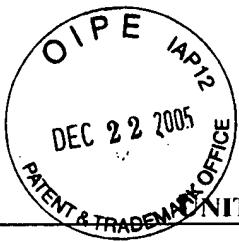
Dated this 22nd day of December, 2005.

Respectfully submitted,



Peter F. Malen, Jr.
Registration No. 45,576
Attorney for Applicant
Customer No. 022913
Telephone: (801) 533-9800

PFM0000001034V001



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEBRUARY 04, 2004

PTAS



102509356A

ERIC L. MASCHOFF
1000 EAGE GATE TOWER
60 SOUTH TEMPLE
SALT LAKE CITY, UT 84111

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/21/2003

REEL/FRAME: 014304/0268

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GENOA CORPORATION

DOC DATE: 07/18/2003

ASSIGNEE:
FINISAR CORPORATION
1308 MOFFET PARK DRIVE
SUNNYVALE, CALIFORNIA 94089-1133

SERIAL NUMBER: 09809813
PATENT NUMBER:

FILING DATE: 03/16/2001
ISSUE DATE:

SERIAL NUMBER: 09809812
PATENT NUMBER:

FILING DATE: 03/16/2001
ISSUE DATE:

SERIAL NUMBER: 09824360 ✓
PATENT NUMBER:

FILING DATE: 04/02/2001
ISSUE DATE:

014304/0268 PAGE 2

SERIAL NUMBER: 09826627 ✓
PATENT NUMBER: 6614583
FILING DATE: 04/05/2001
ISSUE DATE: 09/02/2003

SERIAL NUMBER: 10336182
PATENT NUMBER:
FILING DATE: 01/03/2003
ISSUE DATE:

SERIAL NUMBER: 10027263
PATENT NUMBER:
FILING DATE: 12/21/2001
ISSUE DATE:

JEFFREY OLSEN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Tab settings

07-28-2003

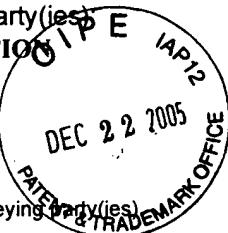
HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

102509356

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

GENOA CORPORATION

2. Name and address of receiving party(ies):

Name: **FINISAR CORPORATION**Address: **1308 Moffet Park Drive**

Additional names(s) of conveying party(ies)

 Yes No

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: **July 18, 2003**Additional name(s) & address(es) Yes No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

attached Schedule A

Attached
Schedule A

Additional numbers

 Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: **6**Name: **Eric L. Maschoff**Registration No. **36,596**Address: **1000 Eagle Gate Tower****60 South Temple**City: **Salt Lake City** State/Prov.: **UT**Country: **USA** ZIP: **84111**7. Total fee (37 CFR 3.41): \$ **240.00** Enclosed - Any excess or insufficiency should be credited or debited to deposit account Authorized to be charged to deposit account

8. Deposit account number:

23-3178

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

R. Burns Israelsen**July 21, 2003**

Name of Person Signing

Signature

Date

4

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

SCHEDULE A
Patent Properties Subject to Assignment

WNS File #	Serial #	Filing Date	Patent #	Issue Date
15436.248.1	09/809,813	16-Mar-01		
15436.248.2	09/809,812	16-Mar-01		
15436.248.3	09/824,360	2-Apr-01		
15436.248.4	09/826,627	5-Apr-01		
15436.248.5	10/336,182	3-Jan-03		
15436.248.6	10/027,263	7-Feb-02		

KKK00000000196V001.xls

WHEN RECORDED RETURN TO:

PATENT APPLICATION
Docket No: 15436.248

Workman, Nydegger & Seeley
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

A S S I G N M E N T

WHEREAS, Genoa Corporation, a California corporation, with its principal place of business located at 41762 Christy Street, Fremont, California 94538, (hereinafter referred to as ASSIGNOR) is the owner of record of the issued U.S. patents, pending U.S. patent applications, foreign and international patent applications and foreign patents listed in Schedule A attached hereto (collectively hereinafter, the "Patent Properties"); and

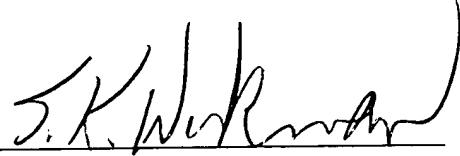
WHEREAS, Finisar Corporation, a Delaware corporation with its principal place of business at 1308 Moffett Park Drive, Sunnyvale, California 94089 (hereinafter referred to as ASSIGNEE), desires to acquire all right, title, and interest in and to the Patent Properties, the corresponding inventions, and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby assigns, and transfers unto said ASSIGNEE, the entire right, title, and interest in and to said Patent Properties, the corresponding inventions, and any and all letters patent which may be granted therefor in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues, and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from any of the Patent Properties to which said foreign applications are entitled by virtue of international convention, treaty, or otherwise. As part of this assignment and transfer, ASSIGNOR assigns and transfers to ASSIGNEE the right to hold and enjoy said Patent Properties, the corresponding inventions, and all letters patent that may be granted on said Patent Properties for its use and benefit and for the use and benefit of its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment and transfer not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks in the U.S. Patent & Trademark Office to issue all letters patent arising from the Patent Properties or from the corresponding inventions to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for U.S. and foreign letters patent for the Patent Properties or for the corresponding inventions, for litigation regarding said letters patent, or for the purpose of protecting title to the Patent Properties, the corresponding inventions, or letters patent therefor.

Signed this 18 day of July, 2003.

ASSIGNOR
Genoa Corporation
41762 Christy Street
Fremont, California 94538

By:



Name: Steve Workman

Position: Chief Financial Officer

Accepted this 18 day of July, 2003.

ASSIGNEE
Finisar Corporation
1308 Moffett Park Drive
Sunnyvale, California 94089

By:



Name: Frank H. Levinson

Position: Chairman of the Board

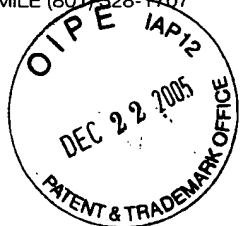
07-22-03

ASSIGNMENT
Docket: 15436.248

JPC



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SALT LAKE CITY, UTAH 84111
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GENERAL E-MAIL: info@wnspatent.com

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Assignment from GENOA CORPORATION to FINISAR CORPORATION
Our File Nos.: 15436.248

Dear Sir:

Please record the enclosed document showing an change of the name of the assignee in the United States Patent and Trademark Office. Enclosed is a credit card payment form in the amount of \$240.00 for the filing fee.

Dated this 21 day of July, 2003.

Respectfully submitted,

R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Telephone: (801) 533-9800

RBI:kkk
Enclosure
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ASSIGNMENT
Docket No.: 15436.248



CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

"Express Mail" Mailing Label No. EL 981993391 US

Date of Deposit: July ____, 2003

I hereby certify that the attached transmittal letter, assignment from GENOA CORPORATION to FINISAR CORPORATION, recordation coversheet, Credit Card Payment Form in the amount of \$240.00, and postcard is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box ASSIGNMENTS FEE, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

Dated this _____ day of July, 2003.

Respectfully submitted,

Kimberly Kendrick, Paralegal to
R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800

SUBMITTED:

- Assignment
- Certificate of Express Mailing Under 37 C.F.R. §1.10
- PTO-2038 for \$240
- Transmittal letter
- Recordation coversheet
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